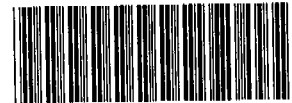


CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER



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ARIZONA CORPORATION COMMISSION

DATE: October 11, 2000

DOCKET NO.: T-03010A-00-0724

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Alicia Grantham. The recommendation has been filed in the form of an Order on:

JUDY K. BRATTON D/B/A WHISPERING PALMS RV PARK
(SALE ASSETS/CANCEL CC&N)


Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and ten (10) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

OCTOBER 20, 2000

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Working Session and Open Meeting to be held on:

OCTOBER 24, 2000 AND OCTOBER 25, 2000

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250.


BRIAN C. McNEIL
EXECUTIVE SECRETARY

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 CARL J. KUNASEK
CHAIRMAN

3 JIM IRVIN
COMMISSIONER

4 WILLIAM A. MUNDELL
COMMISSIONER

5
6 IN THE MATTER OF THE APPLICATION OF
7 JUDY K. BRATTON D/B/A WHISPERING
8 PALMS RV PARK FOR THE SALE OF ASSETS
9 AND CANCELLATION OF THE CERTIFICATE
OF CONVENIENCE AND NECESSITY TO
PROVIDE CUSTOMER-OWNED PAY
TELEPHONE SERVICE IN THE STATE OF
ARIZONA.

DOCKET NO. T-03010A-00-0724

DECISION NO. _____

ORDER

10 Open Meeting
11 October 24 and 25, 2000
Phoenix, Arizona

12 **BY THE COMMISSION:**

13 Having considered the entire record herein and being fully advised in the premises, the
14 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

15 **FINDINGS OF FACT**

16 1. Judy K. Bratton d/b/a Whispering Palms RV Park ("Applicant") has a Certificate of
17 Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT")
18 service in the State of Arizona pursuant to Decision No. 59470 (January 10, 1996).

19 2. On September 21, 2000, Applicant filed with Docket Control of the Commission an
20 application for approval of the sale of assets and cancellation of the Certificate, indicating that it no
21 longer provides COPT service in the State of Arizona.

22 3. In Decision No. 55817 (December 10, 1987), the Commission found that COPT
23 providers were public service corporations subject to the jurisdiction of the Commission.

24 4. Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901 through R14-2-909 to
25 regulate COPT providers.

26 5. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes
27 rates and minimum service standards applicable to COPT service.

28 ...

1 6. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT
2 Certificates without a hearing.

3 7. On September 27, 2000, the Commission's Utilities Division Staff ("Staff") filed a
4 Staff Report, recommending approval of the application to sell assets and cancel Applicant's
5 Certificate without a hearing.

6 **CONCLUSIONS OF LAW**

7 1. Applicant is a public service corporation within the meaning of Article XV of the
8 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

9 2. The Commission has jurisdiction over Applicant and the subject matter of the
10 application.

11 3. The sale of assets and cancellation of Applicant's Certificate is in the public interest.

12 4. Staff's recommendation in Findings of Fact No. 7 is reasonable and should be
13 adopted.

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ORDER

IT IS THEREFORE ORDERED that the application of Judy K. Bratton d/b/a Whispering Palms RV Park for the sale of assets and cancellation of the Certificate of Convenience and Necessity to provide customer-owned pay telephone service shall be, and is hereby, approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this ____ day of ____, 2000.

BRIAN C. McNEIL
EXECUTIVE SECRETARY

DISSENT
AG:bbs

SERVICE LIST FOR:

JUDY K. BRATTON D/B/A WHISPERING PALMS
RV PARK

DOCKET NO.

T-03010A-00-0724

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